

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEE XU, on Behalf of Himself
And all Others Similarly Situated,

Plaintiff,

-against-

DIREXION SHARES ETF TRUST, et al,
Defendants.

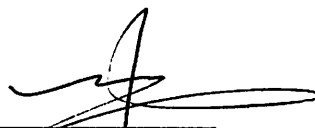
CIVIL ACTION NO.: 1:22-cv-5090-VEC

AFFIDAVIT OF SERVICE

I, of full age, having an address of 136-18 39th Avenue, Suite 1003, Flushing, NY 11354, duly sworn, state the following under penalty of perjury,

That on June 27, 2022, I served I served true copies of the within Complaint and Summons and all supporting documents by certified mail with return receipt requested by depositing same in sealed envelope with postage prepaid thereon, in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York upon the following individuals at their last known address as indicated below:

Direxion Shares ETF Trust
c/o Registered Service Agent
Daniel O'Neill
1301 Avenue of the Americas (6th Avenue),
28th Floor,
New York, NY 10004


Wei Feng

Sworn to before me on


15th day of July 2022


Notary Public

PATRICIA VALLE
NOTARY PUBLIC - STATE OF NEW YORK
No. 01VA6122337
Qualified in Nassau County
Commission Expires 02/07/2025

UNITED STATES DISTRICT COURT

for the

Southern District of New York 

Lee Xu

Plaintiff(s)

v.

Direxion Shares ETF Trust, et al.

Defendant(s)

Civil Action No. 1:22-cv-05090-VEC

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Direxion Shares ETF Trust
 c/o Registered Service Agent
 Daniel O'Neill
 1301 Avenue of the Americas (6th Avenue),
 28th Floor,
 New York, NY 10004

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Xu Law Offices P.C.
 136-18 39th Avenue, Suite 1003
 Flushing, NY 11354
 929-200-7166
 929-200-7167 - fax

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: 06/21/2022




/s/ J. Gonzalez

Signature of Clerk or Deputy Clerk

Civil Action No. 1:22-cv-05090-VEC

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

7017 1450 0000 0767 8322

cv-05090-VEC Document 56 Filed 07/18/22

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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New York, NY 10004

OFFICIAL USE

Certified Mail Fee

\$13.75

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$13.05
- ☐ Return Receipt (electronic) \$0.00
- ☐ Certified Mail Restricted Delivery \$10.00
- ☐ Adult Signature Required \$0.00
- ☐ Adult Signature Restricted Delivery \$0.00

Postage

\$8.70

\$

Total Postage and Fees

\$15.50

\$

Sent To

Dirnexion Shares ETF Trust/Daniel O'neill

Street and Apt. No., or PO Box No.

1301 Ave of the Americas (6th Ave) 28th Fl

City, State, ZIP+4®

New York, NY 10004

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



06/27/2022